



City of Huntington Beach Planning and Building Department
STUDY SESSION REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Rosemary Medel, Associate Planner *RM*
DATE: June 22, 2010

SUBJECT: GENERAL PLAN CONFORMANCE NO. 10-001 (NEWLAND STREET-HIGHWAY SLOPE EASEMENT VACATION)

APPLICANT: Public Works Dept., City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648

PROPERTY

OWNER: City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648

LOCATION: 21632 Newland Street, Huntington Beach, CA 92648

PROJECT REQUEST AND SPECIAL CONSIDERATIONS:

General Plan Conformance No. 10-001 represents a request, pursuant to Section 65402 of the California Government Code, by the City of Huntington Beach Public Works Department to determine if the vacation of the 20 foot slope easement over the westerly 40 feet of the AAA Animal Hospital parcel located at 21632 Newland Street is in conformance with the goals, objectives, and policies of the General Plan. The intent of the request is to vacate the highway slope easement no longer required to maintain an elevated pavement surface for the adjacent hospital.

On July 28, 1978, the City of Huntington Beach conveyed, via a corporation grant deed, a parcel of land (easterly side of Newland Street, north of Edison Avenue) to Robert E. Sharkey. As part of this corporation grant deed, the City reserved a 20-foot easement over the westerly 40-feet of said parcel for highway slope purposes. The intent of the highway slope easement was to allow the City to maintain an embankment due to elevation differences between the subject parcel and an elevated pavement surface for the adjacent Newland Street.

CURRENT LAND USE, HISTORY OF SITE, ZONING AND GENERAL PLAN DESIGNATIONS

The project area is currently identified as the 21632 Newland Street, AAA Animal Hospital, which fronts Newland Street.

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Area:	Industrial, I-F2-d (0.50 FAR-design overlay)	Industrial General (IG)	AAA Animal Hospital
North of Subject Area:	Industrial,(I-F2-d (0.50 FAR-design overlay)	Industrial Limited (IL)	Flood Channel and Industrial Uses north of the channel
East of Subject Area	Industrial, I-F2-d (0.50 FAR-design overlay)	Industrial General (IG)	Outdoor Storage
West of Subject Area	Residential Medium Density (RM-15)	Industrial Limited and Manufactured Mobilehome Park (IL, RMP)	Vacant land and mobilehome park

APPLICATION PROCESSING DATES:**DATE OF COMPLETE APPLICATION:**

May 14, 2010

MANDATORY PROCESSING DATE(S):

June 22, 2010 (40 days from complete application)

General Plan Conformance No. 10-001 is tentatively scheduled for action by the Planning Commission on July 13, 2010. The Public Works Department will subsequently submit the slope easement vacation request to City Council for final approval

CEQA ANALYSIS AND REVIEW:

The proposed project is categorically exempt pursuant to City Council Resolution No. 4501, Class 5, which supplements the California Environmental Quality Act (CEQA) because the request is to vacate a highway slope easement.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES:

No comments regarding General Plan Conformance No. 10-001 have been received from other City departments or agencies. The Public Works Department is in agreement with the request.

PUBLIC MEETINGS, COMMENTS AND CONCERNS:

No public meetings have been held regarding this General Plan Conformance request.

PLANNING ISSUES

The only issue to consider as part of this request is the project's conformance to the City's General Plan. The following goals, policies and objectives pertain to the right-of-way vacation:

A. Land Use Element

LU Goal 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.

The easement was initially required because of the grade differential from Newland Street and the subject property. As a result of the City project to fill and widen Newland Street and the development of the AAA Animal Hospital the highway slope easement is no longer required and will be reverted back to the subject property.

C. Circulation Element

CE Objective 1.1: Balance the circulation system with the circulation demands generated by the implementation of the City's Land Use Element.

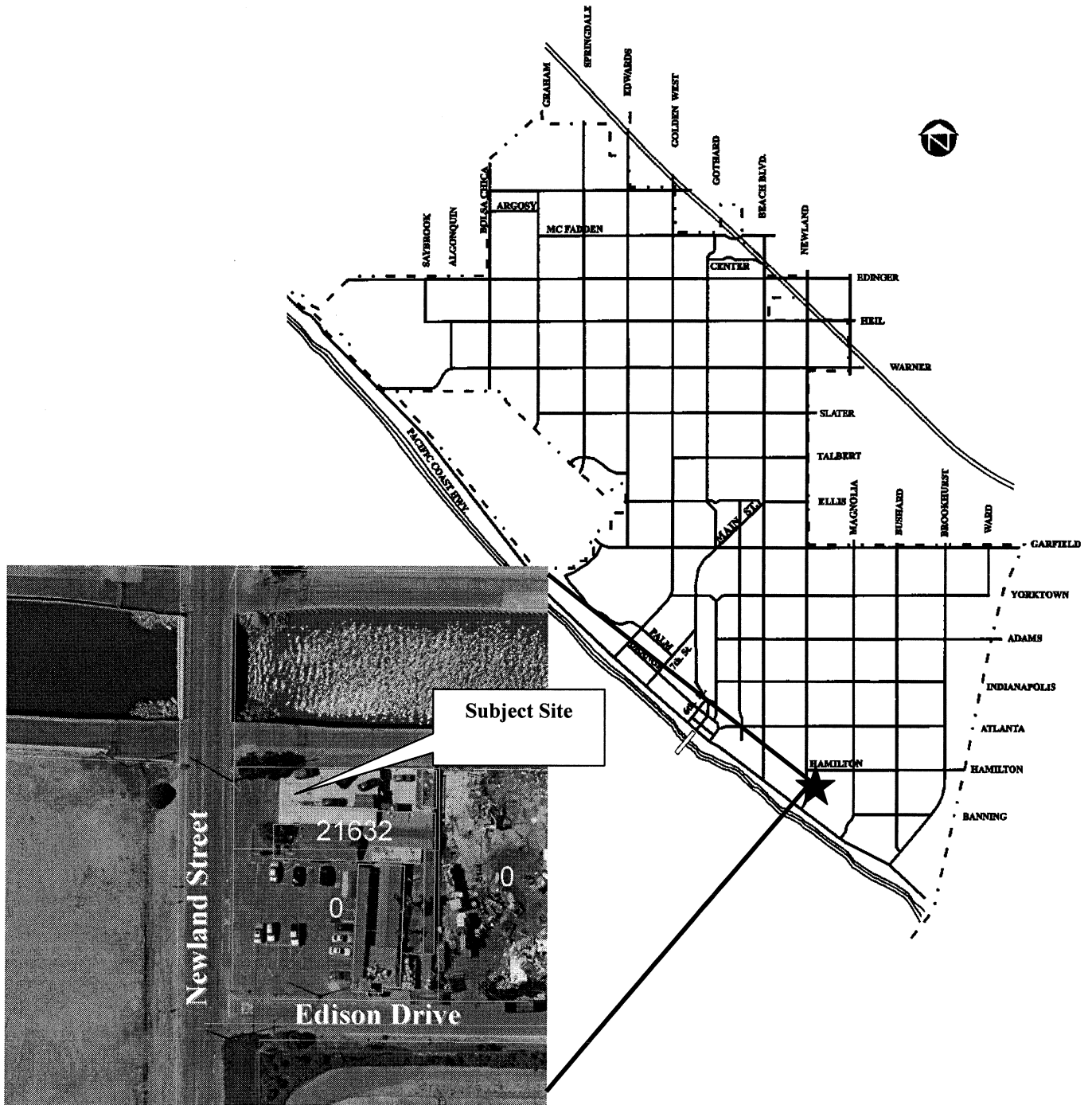
CE Goal 2: Provide a circulation system which supports existing, approved, and planned land uses throughout the City while maintaining a desired level of service on all streets and at all intersections.

The embankment easement is no longer necessary to provide a safe transition from Newland to the subject property because of the grade difference. Therefore, vehicular circulation has been improved on Newland Street as a result of the street widening.

ATTACHMENTS:

1. Vicinity Map – Highway Slope Easement
2. Project Narrative

SH:MBB:RM:



VICINITY MAP
GENERAL PLAN CONFORMANCE NO. 10-001

21632 Newland Street-Slope Easement

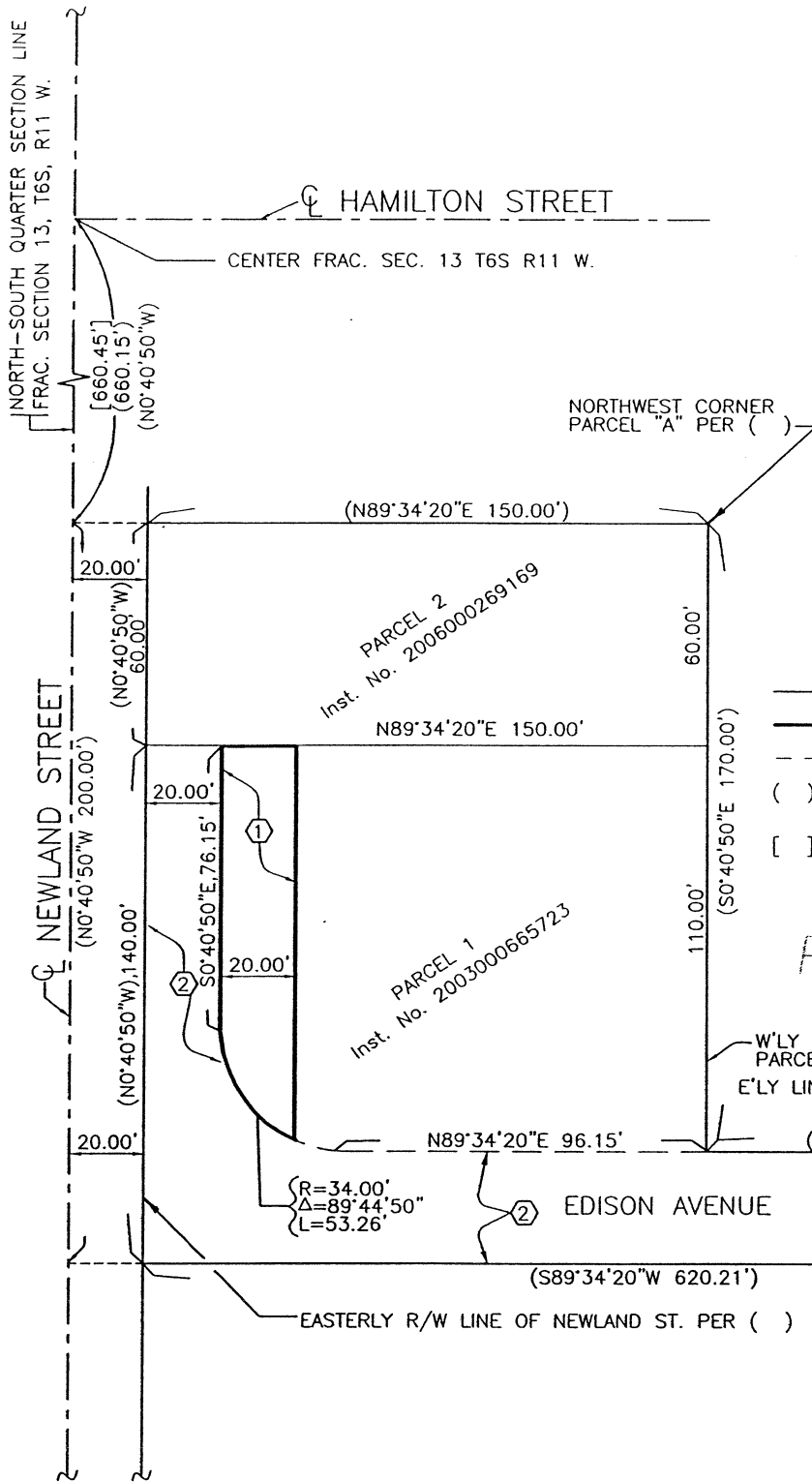
Project Narrative

Statement of Issue: A Quitclaim Deed for a highway slope easement reserved by the City in 1978 is being submitted for City Council acceptance. This action is required for the redevelopment of the AAA Animal Hospital at 21632 Newland Street.

Analysis: On July 28, 1978, the City of Huntington Beach conveyed, via a corporation grant deed, a parcel of land (easterly side of Newland Street, north of Edison Avenue) to Robert E. Sharkey. As part of this corporation grant deed, the City reserved a 20-foot easement over the westerly 40-feet of said parcel for highway slope purposes. The intention of the highway slope easement was to allow the City to maintain an embankment due to elevation differences between the subject parcel and an elevated pavement surface for the adjacent Newland Street.

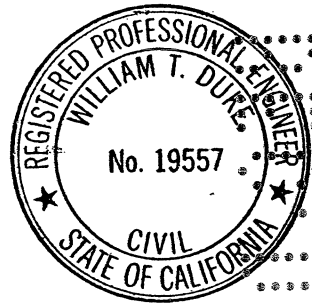
Since the aforementioned property conveyance, the ownership has changed to, "Samir S. Botros and Nahed S. Luka, husband and wife, as joint tenants." The subject parcel and the adjacent northerly parcel are currently being used as AAA Animal Hospital and the site was conditionally approved as part of Coastal Development Permit (04-16) and Conditional Use Permit (04-49) to allow demolition and reconstruction of a new animal hospital facility. Condition of Approval Number 2 requires a Lot Line Adjustment be reviewed and approved by the Departments of Planning and Public Works prior to building permit issuance for the subject project. The City, by quitclaiming the highway slope easement, will facilitate processing of the required Lot Line Adjustment.

The current grading plan for the project indicates fill to raise the subject site out of the flood hazard zone. The Public Works Department is currently completing a project to widen and raise the adjacent portion of Newland Street, which will be at a similar elevation to the newly constructed animal hospital site. Therefore, a highway slope and corresponding easement will no longer be necessary.



- LEGEND**
- ① — 20 FOOT HIGHWAY SLOPE EASEMENT AS DESCRIBED IN EXHIBIT A.
 - ② — EXISTING EASEMENT FOR STREET AND PUBLIC UTILITY PURPOSES DEDICATED TO CITY OF HUNTINGTON BEACH RECORDED, IN BOOK 12778, PAGES 704 & 705 OF OFFICIAL RECORDS.
 - EXIST. BOUNDARY LINES TO REMAIN
 - PARCEL DESCRIBED IN EXHIBIT "A"
 - - - EXISTING EASEMENT LINE
 - () = RECORD PER PARCEL MAP FILED IN BOOK 3, PAGE 18 OF PARCEL MAPS
 - [] = RECORD PER GRANT DEED RECORDED APRIL 21, 2006 AS INSTRUMENT NO. 2006000269169 OF O. R.

P.M.B. 3/18



William T. Duke
WILLIAM T. DUKE, RCE 19557
LICENCE EXPIRES 9-30-07

ATTACHMENT NO. 2.1